IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2893 OF 2007

Mohammad Rais Mohammad Salim Kureshi ..Applicant

V/s.

The State of Maharashtra ..Respondent

Mr.Shirish Gupte i/b. Mr.M.K.Kochrekar, advocate, for applicant
Ms.M.H.Mhatre, Assistant Public Prosecutor, for respondent

CORAM : V.C.DAGA, J.

DATE : 11TH SEPTEMBER, 2007

P.C.

1. Heard learned counsel for the applicant and learned Assistant Public Prosecutor. The applicant is seeking bail in C.R.No.269/2007 registered with M.I.D.C. Police Station, Mumbai for the offence punishable under Section 454, 457, 380, 411 & 414 of the Indian Penal Code. The case of the prosecution is that in between 19.05.2007 and 21.05.2007 some unknown persons committed theft in

Shankar Jewellers Limited, G-16, Gems and Jewellers Complex, Iind SEEPZ Company, M.I.D.C., Andheri, Mumbai - 96 and Gold ornaments worth more than Rs.1 crore were stolen. On the basis of the complaint, C.R.No.269/2007 came to be registered with M.I.D.C. Police Station. Recovery of Gold ornaments worth more than Rs.12 lacs were made from the applicant. There is no further recovery though the applicant-accused is in the custody from 16th June, 2007. The investigation vis-a-vis this accused is complete. In the facts and circumstances of the case, I am inclined to grant bail to the present applicant on following terms and conditions.

a) The applicant Mohammad Rais Mohammad Salim Qureshi be released on bail in event of his arrest in C.R.No.269/2007 in the sum of Rs.50,000/- with one or two sureties to make up the said amount.

b) That he should report M.I.D.C. Police Station, Mumbai once in a week i.e.on every Sunday between 3.00 to 5.00 p.m.

c) The applicant shall not, directly or indirectly, make any inducement, threat to prosecution witnesses and shall not, in any manner, tamper with the prosecution evidence.

d) The applicant shall not pressurise witnesses and that he shall co-operate with the Investigating Agency.

e) The applicant is put on notice that on a report by the State in violating any of the conditions by him, mentioned herein, shall result in cancellation of this bail order.

f) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

g) The application is allowed in the above terms.

(V.C.DAGA, J.)